

Chapter 20

PLANNED RESIDENTIAL UNIT DEVELOPMENT - P.R.U.D.

Sections:

16-20-010	Intent and purpose
16-20-020	Design Standards
16-20-030	Open Space
16-20-040	Bonus Density
16-20-050	Frontage, Private Shared Drives, Width & Minimum Lot Size
16-20-060	Setbacks, Height and Location Restrictions
16-20-070	Streets
16-20-080	Clustering
16-20-090	Secondary Water
16-20-100	Development Agreement

16-20-010 Intent and purpose

The PRUD is designed as a flexible design tool for the purpose of developing minor subdivisions of 15 lots or less. PRUD Subdivisions shall meet all of the same requirements and approval processes as a standard subdivision except as provided within this Chapter.

16-20-020 Design Standards.

The design of the Preliminary and Final Plats of the Subdivision in relation to streets, blocks, lots, common open spaces and other design factors shall be in harmony with the intent of zoning elements of the master plan that has been adopted by the PLANNING COMMISSION and approved by the GOVERNING BODY. Streets shall be so designed as to take advantage of open space vistas and, create drives with a rural or open space character. The subdivider shall maintain the overall density of the zone in which the P.R.U.D. is approved, except as provided herein.

16-20-030 Open Space

The provision for open space or common area shall not be a requirement of the PRUD Subdivision. However, if the developer wishes to provide for open space, it may be provided for as the following: common area; agricultural area; recreational area; natural vegetation and wildlife area; public parks; etc. Areas designated as open space shall be accompanied by a conservation easement held by an appropriate agency as provided for by law and shall be held as open space in perpetuity. Agricultural parcels may be maintained by the developer or any other entity or individual for the purpose of agricultural production.

The preservation, maintenance, and ownership of Open Spaces within a subdivision development shall be accomplished by:

- a. Dedication of the land as a public or private park or parkway system, including a certificate of title insurance; or
- b. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain in perpetuity, with ownership and maintenance being the responsibility of an Owners' Association established with articles of association and bylaws which are satisfactory to the Governing Body; or
- c. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain in perpetuity, to be maintained from the proceeds of a perpetual maintenance trust fund established by the developer in an amount satisfactory to the Governing Body; or by

- d. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said agricultural open spaces to guarantee that the open space remain in perpetuity, with ownership and maintenance being the responsibility of the developer, land owner, farmer or farm land trust; or by
- e. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities, and requires that the SUBDIVIDER, prior to the recording of the Final Plat, cause to be incorporated under the laws of the State of Utah, a lot owners association. By proper covenants running with the land and through the articles of incorporation and bylaws of the association it shall, among other things, be provided:
 - i. That membership in the association shall be mandatory for each lot purchaser, their guarantees, successors and assignees.
 - ii. That the common area and open space restrictions shall be permanent and not just for a period of years.
 - iii. That the association be responsible for maintaining liability insurance, paying general property taxes and maintaining recreational and all other facilities.
 - iv. That all lot owners shall pay their pro-rata share of the costs of upkeep, maintenance, and operation.
 - v. That any assessment levied by the associations may become a lien on the real property of any lot owner which may be foreclosed and the property sold as on sales under execution.

16-20-040 Bonus Density

Subdivisions of at least 10 and no more than 15 lots may qualify for bonus density, creating a maximum PRUD of 16 lots. Bonus Density may be approved by the Planning Commission as an incentive to provide common or public open space within the PRUD Subdivision. The maximum density bonus allowed shall be for the provision of one additional lot. In order to qualify for the bonus the developer shall provide usable common or public open space in the amount of 10% of the total acreage of the property, but shall not be less than ½ acre.

16-20-050 Frontage, Private Shared Drives, Width & Minimum Lot Size.

1. **Frontage**-All lots within a PRUD Subdivision shall be required to have frontage on public or private street, unless approved shared private driveway access is approved as part of the PRUD. Said frontage shall be of a required width of no less than 100 feet, with the exception of “flag” lots approved by conditional use permit. On cul-de-sacs or curved roads frontage shall be measured as the width at the front setback line.
2. **Private Shared Drives**-Private shared driveways may be permitted in locations where the improvement of public roads is not in the best interest of the public, provided the driveway access is a minimum right-of-way width of 30 feet, with a minimum improved surface width of 20 feet, a maximum slope of 15%, sufficient emergency turn around as approved by the Fire Chief, and accesses a maximum of 4 single family dwellings.
3. **Width**-The minimum width of a lot within a PRUD shall also be 100 feet as measured at the front setback line.
4. **Minimum Lot Size**-The minimum lot size within a PRUD shall be 10,000 sq.ft. if the development is serviced by a sewer district and water system. PRUD’s serviced by a water company but not serviced by a sewer district shall require a minimum lot size of ½ acre, PRUD’s not serviced by a sewer district with the provision of individual wells shall be required to maintain a minimum lot size of 1 acre. The Planning Commission may impose additional lots size requirements in response to topography, wildlife, soil conditions, etc. which would necessitate such.
5. **Flag Lots**-The definition of a flag lot is a lot shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main

building site with the frontage street. The following regulations shall be required to permit flag lots:

- a. The minimum width and frontage for the access strip of a flag lot shall be twenty (20) feet, with a maximum width of sixty (60) feet.
- b. Driveways shall be located within the access strip shall be required to be hard surfaced and shall provide necessary control of surface drainage.
- c. The minimum length of the access strip shall be 125 feet with a maximum length of 250'.
- d. Dwellings and accessory structures shall be sited on the flag lot so as to provide the maximum protection of privacy for abutting property owners.
- e. The Planning Commission may require as a condition of approval: site obscuring decorative fencing, additional landscaping for screening, limitations on lighting and types along the access strip and the dwelling site, and maximum height limitations for structures to ensure maximum protection of privacy of neighboring property owner.

16-20-060 Setbacks, Height and Location Restrictions

The Planning Commission shall indicate on the plat the approved setbacks, height and location restrictions approved as part of the PRUD. Setbacks shall at a minimum be as follows: front-30 feet, Side Street-30 feet, Rear-30 feet, Side-10'. Height restrictions may be established to mitigate issues related to viewshed protection or fire protection. The Planning Commission may establish building pad locations as part of the PRUD and establish lot coverage maximum limits.

16-20-070 Streets

Streets within the PRUD shall be designated as either public or private on the Final Plat. All streets shall meet the minimum standard for right of way width, pavement and turn around radius regardless of designation as private or public. Maximum street length for a dead-end street within a PRUD shall be one thousand (1,000) feet.

16-20-080 Clustering

Where clustering of lots is required to preserve sensitive areas it shall be provided in a manner consistent with preservation of natural amenities and provision of essential services and shall be in accord with the Area Plan guidelines and conform to ownership regulations in Section 16-20-030.

16-20-090 Secondary Water

Where flood irrigation water or pressurized irrigation has been used or available to the undivided property, such shall be made available for secondary water use to the individual lots as part of the PRUD.

16-20-100 Development Agreement

The Planning Commission may require the use of a negotiated development agreement as part of the PRUD. The executed Development Agreement shall be approved as to form by the County Attorney. The Development Agreement will contain and address the following items, as applicable:

1. Concept Development and Vicinity Map
2. Owner List
3. Recorded Parcel Mapping
4. Legal Description
5. Zoning Map
6. Site Characteristics Map
7. Preliminary Plat
8. Acreage and Use Chart
9. Summary Statements including:
 - i. An economic and fiscal impact analysis
 - ii. An environmental impact assessment

- iii. A social impact assessment
- iv. A traffic impact assessment
- v. Affordable Housing implementation
- 10. Architectural restrictions & plans
- 11. Lighting Plan
- 12. Signing Plan
- 13. Maintenance Plan addressing:
 - i. Open Space
 - ii. Snow removal and storage
 - iii. Private infrastructure maintenance
- 14. Easements and Covenants Description
- 15. Infrastructure Description.
- 16. Grading and Conservation Plan
- 17. Domestic Water Information and Approvals
- 18. Sewerage Information and Approvals
- 19. Population & School Capacity Report
- 20. Fire Service Information
- 21. Traffic Report
- 22. Environmental Impact Assessments, including:
 - i. Air Quality
 - ii. Water Quality
 - iii. Watershed Protection
 - iv. Sewage Disposal
 - v. Solid Waste and Recycling
 - vi. Revegetation/Erosion Protection/Runoff Control
 - vii. Wildlife Habitat and Fisheries
- 23. Open Space Plan
- 24. Water and Water Supply
- 25. Parking Provisions
- 26. Transportation Infrastructure and Access Design
- 27. Public Utilities Will Serves
- 28. Mail Delivery Plan
- 29. Garbage Collection Plan
- 30. Police and Security Plan
- 31. Parks and Trails Landscape Plan
- 32. Special Site Design Requirements
- 33. Construction Management Plan
- 34. Other Information, as required
- 35. Final Subdivision Plat